

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72382 of 2023

Arising Out of PS. Case No.-83 Year-2023 Thana- MUNGER MUFFASIL District- Munger

HEMANT KUMAR S/o KARE LAL YADAV RESIDENT OF VILL
ADARSH GRAM TIKARAMPUR PS MUFFASIL DISTT MUNGER

... .. Petitioner/s

Versus

1. The State of Bihar
2. Usha Devi Wife of Baijnath Singh R/o Budhan Marad Tola, Tika Ram Pur,
P.S. - Muffasil, Distt. - Munger

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal Mr. Jyoti Ranjan Jha Ms. Diksha Kumari
For the Opposite Party/s :		Mr.Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 342, 354A, 506, 504/34 and 376(3) of the Indian Penal Code and Section 4/6 and 8 of the POCSO Act.

3. It is a case of outraging the modesty of the informant's minor daughter by the petitioner along with other accused persons.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this



case. From perusal of the impugned order, it appears that there was love affairs between the daughter of the informant and petitioner from two years prior to the occurrence and victim went to the house of the petitioner out of her own sweet will. It is further submitted that as per medical examination, the victim girl is on the verge of majority. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Petitioner is languishing in judicial custody since 11.05.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge (POCSO Act)-cum-Additional Sessions Judge-VI, Munger in connection with Mufassil P.S. Case No. 83 of 2023.

(Sunil Kumar Panwar, J)

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